

EUREKA COUNTY, NV

**2017-233803**

Rec:\$24.00

\$24.00 Pgs=11

**08/31/2017 11:38 AM**

STEWART TITLE ELKO

LISA HOEHNE, RECORDER

Recording Requested By/Return To:

**First Financial Bank**

**Rhonda Payne**

**1717 Alliant Ave. STE 12**

**Louisville, KY 40299**

[Space Above This Line For Recording]

*01415-25960* **ASSIGNMENT OF DEED OF TRUST**

**Loan # 21701511**

For Value Received, the undersigned holder of a Deed of Trust (herein "Assignor") whose address is **214 North Washington St, El Dorado, AR 71730**, does hereby grant, sell, assign, transfer and convey, unto **U.S. Bank National Association, as Custodian/Trustee for Federal Agricultural Mortgage Corporation programs**, (herein "Assignee"), whose address is **1133 Rankin Street, Suite 100, St. Paul, MN 55116**, all beneficial interest under a certain Deed of Trust dated **August 28, 2017**, made and executed by **John C Gretlein, an unmarried man**, to **Stewart Title Company**, Trustee, upon the following described property situated in **Eureka & Nye County, State of Nevada**:

**SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.**

such Deed of Trust having been given to secure payment of **\$3,960,000.00**, which Deed of Trust  
(Original Amount of Principal)

is of record in the Real Property Records of **Eureka & Nye County, State of Nevada**, together with the note(s) and obligations therein described, the money due and to become due thereon with interest, and all rights accrued or to accrue under such Deed of Trust.

TO HAVE AND TO HOLD the same unto Assignee, its successor and assigns, forever, subject only to the terms and conditions of the above-described Deed of Trust.

IN WITNESS WHEREOF, the undersigned Assignor has executed this Assignment of Deed of Trust on  
*August 23*, 2017.

First Financial Bank

Patrick Hamilton

8/23/17

Signature

Date

Patrick Hamilton

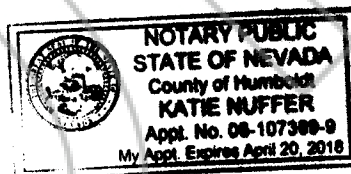
Witness

STATE OF ~~ARKANSAS~~ Nevada  
COUNTY OF ~~Humboldt~~

On this 23 day of August, 2017, before me, a Notary Public (or before any officer within this State or without the State now qualified under existing law to take acknowledgments,) appeared the within named Patrick Hamilton, to me personally well known (or satisfactorily proven to be such person), who stated and acknowledged that he had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 23 day of August, 2017

Katie Nuffer  
(Notary Public)



This Instrument Prepared By:  
PeirsonPatterson, LLP

## LEGAL DESCRIPTION

*Exhibit A*

The land referred to herein is situated in the State of Nevada, County of Eureka and Nye, described as follows:

PARCEL 1: (Eureka County)

TOWNSHIP 18 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 30: NW1/4NE1/4; NE1/4NW1/4;

PARCEL 2: (Eureka County)

TOWNSHIP 19 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 16: W1/2NE1/4; E1/2NW1/4; SW1/4NW1/4; NW1/4SW1/4;  
Section 17: SE1/4NE1/4; NE1/4SE1/4;

PARCEL 3: (Eureka County)

TOWNSHIP 16 NORTH, RANGE 53 EAST, M.D.B.&M.

Section 7: NE1/4NE1/4;

PARCEL 4: (Eureka County)

TOWNSHIP 16 NORTH, RANGE 53 EAST, M.D.B.&M.

Section 7: SE1/4NE1/4;  
Section 8: E1/2; NW1/4NW1/4; S1/2NW1/4; N1/2SW1/4; SE1/4SW1/4;  
Section 9: NE1/4NE1/4; S1/2NE1/4; NW1/4NW1/4; S1/2NW1/4; S1/2;  
Section 10: N1/2; N1/2S1/2; SW1/4SE1/4; S1/2SW1/4;  
Section 11: S1/2NE1/4; NW1/4; N1/2SW1/4;  
Section 12: N1/2;

EXCEPTING FROM the SW1/4SE1/4 and S1/2SW1/4 of Section 10, TOWNSHIP 16 NORTH, RANGE 53 EAST, M.D.B.&M., all uranium, thorium or any other material which is or may be determined to be peculiarly essential to the production of fissionable materials, whether or not of commercial value as reserved in Patent executed by the State of Nevada, recorded March 21, 1952, in Book 24 of Deeds at Page 189, Eureka County, Nevada records.

TOWNSHIP 16 NORTH, RANGE 54 EAST, M.D.B.&M.

Section 6: S1/2SW1/4;  
Section 7: Lots 1 and 2 of the NW1/4;

PARCEL 5: (Nye County)

TOWNSHIP 14 NORTH, RANGE 48 EAST, M.D.B.&M.

Section 23: W1/2SE1/4;

EXCEPTING THEREFROM an undivided 1/6 of all minerals, oil, gas and hydrocarbon substances, as granted to John I. Brown by deed recorded February 20, 1964 in Book 56 of Deeds, Page 70, Nye County, Nevada Records.

ALSO EXCEPTING THEREFROM an undivided 231/3 interest in and to all oil, gas, hydrocarbon substances within said land, as granted to Sam Rudnick by deed recorded March 11, 1957 in Book 18 of Official Records at Page 190, Nye County, Nevada Records.

ALSO EXCEPTING THEREFROM an undivided 40% interest in and to all mineral rights, including but not limited to, "crude oil", petroleum, gas brea, asphaltum, or any kindred substance with and underlying as reserved in the deed executed by Eureka Livestock Company, recorded in Book 25 of Official Records, Page 482, Nye County, Nevada Records.

FURTHER EXCEPTING THEREFROM all mineral rights and interest, including coal, gas and other hydrocarbons, and all other metallic and non-metallic mineral ores and substances, and geothermal steam, hot water, hot brines, thermal energy and gasses as conveyed by Valiant Farms-Eureka, Inc., to APAL, a limited partnership, by various documents of record.

The above interest in minerals by mesne of conveyances was transferred to Daniel H. Russell by deed recorded April 1, 1988 in Book 624 of Official Records, Page 337 as File No. 206511, Nye County, Nevada Records.

## EXHIBIT A - LEGAL DESCRIPTION

The land referred to herein is situated in the State of California, County of Kern Unincorporated and described as follows:

### PARCEL 1:

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 27 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO TILE OFFICIAL PLAT THEREOF.

EXCEPT ALL THE COAL AND OTHER MINERALS IN SAID LAND, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE THE SAME, PURSUANT TO THE PROVISIONS AND LIMITATION OF THE ACT OF DECEMBER 29, 1916 (39 STAT. 862) AS EXCEPTED AND RESERVED IN THE PATENT FROM THE UNITED STATES OF AMERICA, RECORDED APRIL 9, 1924 IN BOOK 19, PAGE 166 OF OFFICIAL RECORDS.

APN: 074-030-27

### PARCEL 2:

THE NORTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 27 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF KERN, STATE OF CALIFORNIA ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING FROM THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, THE SOUTH HALF OF THE NORTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION, ALL THE OIL AND GAS IN THE LANDS SO PATENTED, AND TO IT, OR PERSONS AUTHORIZED BY IT, THE RIGHT TO PROSPECT FOR, MINE, AND REMOVE SUCH DEPOSITS FROM THE SAME UPON COMPLIANCE WITH THE CONDITIONS AND SUBJECT TO THE PROVISIONS AND LIMITATIONS OF THE ACT OF JULY 17, 1914, (38 STAT. 509), AS RESERVED BY THE UNITED STATES OF AMERICA IN THE PATENT RECORDED IN BOOK 21 PAGE 380 OF PATENTS.

EXCEPTING FROM THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID LAND ALL THE COAL AND OTHER MINERALS IN THE LANDS SO ENTERED AND PATENTED, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE AND REMOVE THE SAME PURSUANT TO THE PROVISIONS AND LIMITATIONS OF THE ACT OF DECEMBER 29, 1916 (39 STAT., 862), AS RESERVED BY THE UNITED STATES OF AMERICA IN THE PATENT RECORDED IN BOOK 21 PAGE 379 OF PATENTS.

EXCEPTING UNTO THE GRANTOR ALL REMAINING OIL, GAS, HYDROCARBON SUBSTANCES OR OTHER MINERAL INTEREST IN AND UNDERLYING SAID LAND, BY THAT CERTAIN GRANT DEED RECORDED SEPTEMBER 27, 2000, FILE NO. 0200120218, OF OFFICIAL RECORDS.

APN: 074-010-17

### PARCEL 3:

THE NORTH HALF OF SECTION 26, TOWNSHIP 27 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM ALL THE OIL AND GAS IN THE LANDS-SO PATENTED, AND TO IT, OR PERSONS AUTHORIZED BY IT, THE RIGHT TO PROSPECT FOR, MINE AND REMOVE SUCH DEPOSITS FROM THE SAME UPON COMPLIANCE WITH THE CONDITIONS AND SUBJECT TO THE

PROVISIONS AND LIMITATIONS OF THE ACT OF JULY 17, 1914 (38 STAT., 509) AS RESERVED IN THE PATENT FROM THE UNITED STATES OF AMERICA, RECORDED APRIL 9, 1924 IN BOOK 19, PAGE 167 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBONS IN- AND UNDER SAID LAND AS EXCEPTED IN THE DEED FROM JULIE BESSONART RECORDED JANUARY 18, 1984 IN BOOK 5624, PAGE 433, OF OFFICIAL RECORDS.

APN: 074-050-03

PARCEL 4:

THAT CERTAIN REAL PROPERTY IDENTIFIED AS LOT 3 IN CERTIFICATE OF COMPLIANCE FOR LOT LINE ADJUSTMENT NO. 55-10 RECORDED AUGUST 10, 2011, INSTRUMENT NO. 000211101369, OF OFFICIAL RECORDS, BEING AN ADJUSTMENT OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 27 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN AND PARCELS 1 AND 2 OF PARCEL MAP NO. 10270 FILED FOR RECORD IN BOOK 48 PAGES 37 THROUGH 39 OF PARCEL MAPS, IN THE OFFICE OF THE KERN COUNTY RECORDER; ALSO BEING A PORTION OF SECTIONS 26 AND 35, TOWNSHIP 27 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 35, MARKED BY A 2 INCH IRON PIPE MARKED FOR CORNER AND TAGGED "LS 3779" PER RECORD OF SURVEY FILED FOR RECORD IN BOOK 18 AT PAGE 192 OF RECORD OF SURVEYS, IN THE OFFICE OF THE KERN COUNTY RECORDER; THENCE SOUTH 89° 24' 28" EAST, ALONG THE NORTH LINE OF SAID SECTION 35, A DISTANCE OF 2044.61 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE FOLLOWING 11 COURSES:

1) CONTINUING SOUTH 89° 24' 28" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 593.16 FEET TO THE NORTH QUARTER CORNER OF SAID

SECTION 35, SAID POINT ALSO BEING THE SOUTH QUARTER CORNER OF SAID SECTION 26; THENCE

2) NORTH 00° 40' 00" EAST ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 26, A DISTANCE OF 2645.22 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 26; THENCE

3) SOUTH 89° 31' 35" EAST, ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 26 A DISTANCE OF 2646.43 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 26; THENCE

4) SOUTH 00° 51' 54" WEST, ALONG THE EAST LINE OF SAID SECTION 26, A DISTANCE OF 2650.73 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 26; SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID SECTION 35; THENCE

5) SOUTH 01° 10' 02" WEST, ALONG THE EAST LINE OF SAID SECTION 35, A DISTANCE OF 1700.00 FEET TO THE SOUTHERLY LINE OF SAID PARCEL 2; THENCE

6) NORTH 84° 31' 36" WEST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 363.97 FEET TO AN ANGLE POINT IN SAID SOUTHERLY LINE; THENCE

7) NORTH 75° 27' 38" WEST, CONTINUING ALONG SAID SOUTHERLY LINE, A DISTANCE OF 1142.66 FEET TO AN ANGLE POINT IN SAID SOUTHERLY LINE; THENCE

8) SOUTH 87° 49' 17" WEST, CONTINUING ALONG SAID SOUTHERLY LINE, A DISTANCE OF 1166.36 FEET TO AN ANGLE POINT IN SAID SOUTHERLY LINE; THENCE

9) NORTH 01° 13' 15" EAST, CONTINUING ALONG SAID SOUTHERLY LINE, A DISTANCE OF 792.18 FEET TO AN ANGLE POINT IN SAID SOUTHERLY LINE; THENCE

10) NORTH 89° 27' 28" WEST, CONTINUING ALONG SAID SOUTHERLY LINE, A DISTANCE OF

585.94 FEET; THENCE

11) DEPARTING SAID SOUTHERLY LINE, NORTH 00° 35' 32" EAST, A DISTANCE OF 658.29 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL OIL, GAS IN THE LANDS SO PATENTED, AND TO IT, OR PERSONS AUTHORIZED BY IT, THE RIGHT TO PROSPECT FOR, MINE, AND REMOVE SUCH DEPOSITS FROM THE SAME UPON COMPLIANCE WITH THE CONDITIONS AND SUBJECT TO THE PROVISIONS AND LIMITATIONS OF THE ACT OF JULY 17, 1914 (3 STAT., 509), AS RESERVED IN THE PATENT FROM THE UNITED STATES OF AMERICA, RECORDED MAY 25, 1927 IN BOOK 181, PAGE 10 OF OFFICIAL RECORDS.

ALSO EXCEPTING ALL OIL AND GAS IN SAID LAND AND THE RIGHT TO PROSPECT FOR, MINE AND REMOVE SUCH DEPOSITS FROM THE SAME UPON COMPLIANCE WITH THE CONDITIONS AND SUBJECT TO THE PROVISIONS AND LIMITATIONS OF THE ACT OF JULY 17, 1914(38 STAT., 509) AS EXCEPTED AND RESERVED IN THE PATENT FROM THE UNITED STATES OF AMERICA RECORDED IN BOOK 181, PAGE 10 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBONS IN AND UNDER SAID LAND AS EXCEPTED IN THE DEED FROM JULIE BESSONART RECORDED JANUARY 18, 1984 IN BOOK 5624, PAGE 433, OF OFFICIAL RECORDS.

APN: 074-050-04 AND 074-050-74

PARCEL 5:

THE EAST HALF OF LOTS 1 AND 2 OF THE NORTHEAST QUARTER; EAST HALF OF THE SOUTHEAST QUARTER; WEST HALF OF LOT 2 OF THE NORTHEAST QUARTER; THE WEST HALF OF LOT 1 OF THE NORTHWEST QUARTER; LOT 2 OF NORTHWEST QUARTER; THE NORTH HALF OF LOT 2 OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 27 SOUTH, RANGE 28 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM ALL THE COAL AND OTHER MINERALS IN THE LANDS SO ENTERED AND PATENTED, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE, AND REMOVE THE SAME PURSUANT TO THE PROVISIONS AND LIMITATIONS OF THE ACT OF DECEMBER 29, 1916 (39 STAT., 862), AS RESERVED IN THE PATENT FROM THE UNITED STATES OF AMERICA, RECORDED DECEMBER 15, 1929, IN BOOK 327, PAGE 385, OF OFFICIAL RECORDS.

APN: 074-090-01

PARCEL 6:

THE SOUTH HALF OF THE SOUTH HALF OF SECTION 12, TOWNSHIP 27 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF KERN, STATE OF CALIFORNIA; ACCORDING TO THE OFFICIAL HAT THEREOF.

EXCEPTING THEREFROM ALL OIL, GAS IN THE LANDS SO PATENTED, AND TO IT, OR PERSONS AUTHORIZED BY IT, THE RIGHT TO PROSPECT FOR, MINE, AND REMOVE SUCH DEPOSITS FROM THE SAME UPON COMPLIANCE WITH THE CONDITIONS OF AND SUBJECT TO THE PROVISIONS AND LIMITATIONS OF THE ACT OF JULY 17, 1914 (3 STAT., 509), AS RESERVED IN THE PATENT FROM THE UNITED STATES OF AMERICA, RECORDED JANUARY 14, 1928 IN BOOK 220, PAGE 273 OF OFFICIAL RECORDS.

APN: 074-010-11

PARCEL 7:

THAT CERTAIN REAL PROPERTY IDENTIFIED AS LOT 1 IN CERTIFICATE OF COMPLIANCE FOR



LOT LINE ADJUSTMENT NO. 55-10 RECORDED AUGUST 10, 2011, INSTRUMENT NO. 000211101369, OF OFFICIAL RECORDS, BEING AN ADJUSTMENT OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 27 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN AND PARCELS 1 AND 2 OF PARCEL MAP NO. 10270 FILED FOR RECORD IN BOOK 48 PAGES 37 THROUGH 39 OF PARCEL MAPS, IN THE OFFICE OF THE KERN COUNTY RECORDER; ALSO BEING A PORTION OF SECTIONS 26 AND 35, TOWNSHIP 27 SOUTH, RANGE 27 EAST! MOUNT DIABLO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 35, MARKED BY A 2 INCH IRON PIPE MARKED FOR CORNER AND TAGGED "LS3779" PER RECORD OF SURVEY FILED FOR RECORD IN BOOK 18 AT PAGE 192 OF RECORD OF SURVEYS, IN THE OFFICE OF THE KERN COUNTY RECORDER; THENCE ALONG THE FOLLOWING 4 COURSES:

- 1) SOUTH 89° 24' 28" EAST, ALONG THE NORTH LINE OF SAID SECTION 35, A DISTANCE OF 2044.61 FEET; THENCE
- 2) DEPARTING SAID NORTH LINE AT RIGHT ANGLES, SOUTH 00° 35' 32" WEST, A DISTANCE OF 658.29 FEET TO THE SOUTHERLY LINE OF SAID PARCEL 2; THENCE
- 3) NORTH 89° 27' 28" WEST, ALONG SAID SOUTHERLY LINE AND THE WESTERLY PROLONGATION THEREOF, A DISTANCE OF 2057.49 FEET TO THE WEST LINE OF SAID SECTION 35; THENCE
- 4) NORTH 01° 42' 34" EAST, ALONG SAID WEST LINE, A DISTANCE OF 660.21 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL OIL, GAS, OTHER HYDROCARBON SUBSTANCES AND MINERALS OF ANY KIND OR CHARACTER, IN, ON, OR THEREUNDER, AS RESERVED IN DEEDS OF RECORD.

APN: 074-050-72

PARCEL 8:

THE SOUTH HALF OF SECTION 1, TOWNSHIP 27 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN, AS PER THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM ALL OIL, GAS, OTHER HYDROCARBON SUBSTANCES AND MINERALS OF ANY KIND OR CHARACTER, IN, ON, OR THEREUNDER, AS RESERVED IN DEED RECORDED DECEMBER 26, 1962 IN BOOK 3558, PAGE 978, OF OFFICIAL RECORDS.

APN: 074-010-06

PARCEL 9:

ALL OF FRACTIONAL SECTION 3, TOWNSHIP 27 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING SOUTHERLY OF THE CENTERLINE OF FAMOSO-WOODY ROAD, AKA COUNTY ROAD #784.

EXCEPTING THEREFROM, ALL OIL, GAS, OIL SHALE, COAL AND ANY OTHER HYDROCARBONS OF WHATSOEVER NATURE, PHOSPHATE, SODIUM, GOLD, SILVER, GEOTHERMAL RESOURCES, AND ALL OTHER MINERAL DEPOSITS IN AND UNDER SAID REAL PROPERTY, WITH THE RIGHT TO ENTER THEREON AND UTILIZE ANY AND ALL PORTIONS OF THE SURFACE AND SUBSURFACE OF SAID LANDS AS GRANTOR MAY DEEM NECESSARY OR DESIRABLE TO EXPLORE FOR, OPERATE FOR, DEVELOP, PRODUCE, TREAT, STORE THEREON, REMOVE AND TRANSPORT THEREFROM SUCH SUBSTANCES, INCLUDING THE RIGHT TO WHIPSTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN THOSE HEREINABOVE DESCRIBED, OIL, OR GAS WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED, AND TO BOTTOM SUCH WHIPSTOCKED OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS THEREOF, AND THE RIGHT TO DRILL NEW WELLS, TO CONVERT NON-PRODUCTIVE



WELLS, REDRILL, DEEPEN, REWORK OR REPAIR ANY WELL ON SAID PROPERTY FOR THE DISPOSAL OF WASTE WATER, AND WITH THE RIGHT TO PLACE AND MAINTAIN ON SAID PREMISES ALL STRUCTURES, EXCEPT FOR A REFINERY, AS MAY BE NECESSARY OR CONVENIENT IN SUCH OPERATIONS TOGETHER WITH ALL NECESSARY RIGHTS OF WAY FOR ROADS, PIPELINES, POWER, TELEPHONE AND TELEPHONE LINES, WITH FULL AND FREE RIGHT OF INGRESS AND EGRESS FROM SAID LANDS WHICH GRANTOR DEEMS DESIRABLE FOR THE EXERCISE OF THE RIGHTS HERE EXCEPTED AND RESERVED, TOGETHER WITH THE RIGHT TO DEVELOP, PRODUCE AND USE ALL WATER REQUIRED') FOR OPERATIONS HEREUNDER, THE RIGHT TO INSTALL ON SAID PROPERTY NECESSARY FACILITIES FOR THE DISPOSAL OF WASTE WATER, THE RIGHT TO INJECT INTO SAID PROPERTY WASTE WATER REMOVED FROM SAID PROPERTY AND OTHER LANDS REGARDLESS OF OWNERSHIP THEREOF, AND THE RIGHT TO REMOVE AT ANY TIME ALL STRUCTURES, EQUIPMENT AND PROPERTY PLACED BY GRANTOR IN, UNDER AND UPON SAID LANDS PROVIDED, HOWEVER, THAT IF THE EXERCISE OF SUCH RIGHTS DEPRIVES THE OWNER OF THE SURFACE OF SAID LANDS OF THE USE OF THE SURFACE OF AGRICULTURAL PURPOSES OR IF THE EXERCISE OF SUCH RIGHTS DAMAGES CROPS OR AGRICULTURAL IRRIGATION FACILITIES, THE OWNER OF THE SURFACE OF SAID LAND WILL BE ENTITLED TO REASONABLE COMPENSATION THEREFOR. ANY DISPUTE REGARDING THE AMOUNT OF SUCH COMPENSATION WILL BE RESOLVED BY ARBITRATION PURSUANT TO THE RULES OF THE AMERICAN ARBITRATION ASSOCIATION. EACH PARTY SHALL BEAR IN EQUAL PORTION OF THE COSTS OF ANY ARBITRATION AS RESERVED IN THE DEED FROM GETTY OIL COMPANY, A DELAWARE CORPORATION RECORDED FEBRUARY 27, 1985 IN BOOK 5737 PAGE 1570, AND AS MODIFIED BY AN AGREEMENT RECORDED FEBRUARY 2, 1987 IN BOOK 5966 PAGE 276, BOTH OFFICIAL RECORDS AS DOCUMENT NO. 012601.

APN: 074-010-28

PARCEL 10:

PARCEL A:

THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 27 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THEREFROM ALL OIL, GAS, OTHER HYDROCARBON SUBSTANCES AND MINERALS OF ANY KIND OR CHARACTER, IN, ON, OR THEREUNDER, AS RESERVED IN DEEDS OF RECORD.

PARCEL B:

THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 27 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THEREFROM ALL OIL, GAS, OTHER HYDROCARBON SUBSTANCES AND MINERALS OF ANY KIND OR CHARACTER, IN, ON, OR THEREUNDER, AS RESERVED IN DEEDS OF RECORD.

APN: 074-050-02

PARCEL 11:

THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 27 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING ALL OIL GAS, OIL SHALE, COAL AND OTHER HYDROCARBONS OF WHATSOEVER NATURE, PHOSPHATE, SODIUM, GOLD, SILVER, GEOTHERMAL RESOURCES, AND ALL OTHER MINERALS DEPOSITS IN AND UNDER SAID REAL PROPERTY, WITH THE RIGHT TO ENTER THEREON AND UTILIZE THE SURFACE AND SUBSURFACE OF SAID LANDS, AS GRANTOR MAY DEEM NECESSARY OR DESIRABLE TO EXPLORE FOR, OPERATE FOR, DEVELOP, PRODUCE, TREAT, STORE THEREON, REMOVE AND TRANSPORT THEREFROM SUCH SUBSTANCES, TOGETHER WITH ALL NECESSARY RIGHTS OF WAY FOR ROADS, PIPELINES, POWER, TELEPHONE AND TELEGRAPH LINES, WITH FULL AND FREE RIGHT OF INGRESS TO AND EGRESS FROM SAID LANDS WHICH GRANTOR DEEMS DESIRABLE FOR THE EXERCISE OF THE

RIGHTS HERE EXCEPTED AND RESERVED, TOGETHER WITH THE RIGHT TO DEVELOP, PRODUCE AND USE WATER REQUIRED FOR OPERATIONS HEREUNDER; PROVIDED, HOWEVER, THAT THE OWNER OF THE SURFACE SHALL BE ENTITLED TO COMPENSATION FOR THE REASONABLE VALUE OF THE SURFACE AREA UTILIZED IN THE EXERCISE OF SUCH RIGHTS AND FOR THE REASONABLE VALUE OF ANY CROPS, FACILITIES, STRUCTURES OR OTHER SURFACE IMPROVEMENTS DAMAGED THEREBY. ANY DISPUTE REGARDING THE AMOUNT OF COMPENSATION WILL BE RESOLVED BY ARBITRATION PURSUANT TO THE RULES OF THE AMERICAN ARBITRATION ASSOCIATION. EACH PARTY SHALL BEAR AN EQUAL PORTION OF THE COSTS OF ANY ARBITRATION AS EXCEPTED AND RESERVED IN DEEDS OF RECORD.

APN: 074-050-05

PARCEL 12:

THE SOUTH HALF OF THE NORTHEAST QUARTER; THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER; AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 27 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THEREFROM ALL OIL, GAS, OIL SHALE, COAL AND OTHER HYDROCARBONS OF WHATSOEVER NATURE, PHOSPHATE, SODIUM, GOLD, SILVER, GEOTHERMAL RESOURCES, AND ALL OTHER MINERAL DEPOSITS IN AND UNDER SAID REAL PROPERTY, WITH THE RIGHT TO ENTER THEREON AND UTILIZE THE SURFACE AND SUBSURFACE OF SAID LANDS AS GRANTOR MAY DEEM NECESSARY OR DESIRABLE TO EXPLORE FOR, OPERATE FOR, DEVELOP, PRODUCE, TREAT, STORE THEREON, REMOVE AND TRANSPORT THEREFROM SUCH SUBSTANCES, TOGETHER WITH ALL NECESSARY RIGHTS OF WAY FOR ROAD, PIPELINES, POWER, TELEPHONE AND TELEGRAPH LINES, WITH FULL AND FREE RIGHT OF INGRESS TO AND EGRESS FROM SAID LANDS WHICH GRANTOR DEEMS DESIRABLE FOR THE EXERCISE OF THE RIGHTS HERE EXCEPTED AND RESERVED, TOGETHER WITH THE RIGHT TO DEVELOP, PRODUCE AND USE WATER REQUIRED FOR OPERATIONS HEREUNDER; PROVIDED, HOWEVER, THAT THE OWNER OF THE SURFACE SHALL BE ENTITLED TO COMPENSATION FOR THE REASONABLE VALUE OF THE SURFACE AREA UTILIZED IN THE EXERCISE OF SUCH RIGHTS AND FOR THE REASONABLE VALUE OF ANY CROPS, FACILITIES, STRUCTURES OR OTHER SURFACE IMPROVEMENTS DAMAGED THEREBY. ANY DISPUTE REGARDING THE AMOUNT OF COMPENSATION WILL BE RESOLVED BY ARBITRATION PURSUANT TO THE RULES OF THE AMERICAN ARBITRATION ASSOCIATION. EACH PARTY SHALL BEAR AN EQUAL PORTION OF THE COSTS OF ANY ARBITRATION, AS RESERVED BY GETTY OIL COMPANY IN DEED RECORDED JULY 11, 1986, IN BOOK 5892, PAGE 2103, OF OFFICIAL RECORDS.

APN: 074-050-09

PARCEL 13:

THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 27 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THEREFROM ALL OIL, GAS, OIL SHALE, COAL AND OTHER HYDROCARBONS OF WHATSOEVER NATURE, PHOSPHATE, SODIUM, GOLD, SILVER, GEOTHERMAL RESOURCES, AND ALL OTHER MINERAL DEPOSITS IN AND UNDER SAID REAL PROPERTY, WITH THE RIGHT TO ENTER THEREON AND UTILIZE THE SURFACE AND SUBSURFACE OF SAID LANDS AS GRANTOR MAY DEEM NECESSARY OR DESIRABLE TO EXPLORE FOR, OPERATE FOR, DEVELOP, PRODUCE, TREAT, STORE THEREON, REMOVE AND TRANSPORT THEREFROM SUCH SUBSTANCES, TOGETHER WITH ALL NECESSARY RIGHTS OF WAY FOR ROAD, PIPELINES, POWER, TELEPHONE AND TELEGRAPH LINES, WITH FULL AND FREE RIGHT OF INGRESS TO AND EGRESS FROM SAID LANDS WHICH GRANTOR DEEMS DESIRABLE FOR THE EXERCISE OF THE RIGHTS HERE EXCEPTED AND RESERVED, TOGETHER WITH THE RIGHT TO DEVELOP, PRODUCE AND USE WATER REQUIRED FOR OPERATIONS HEREUNDER; PROVIDED, HOWEVER, THAT THE OWNER OF THE SURFACE SHALL BE ENTITLED TO COMPENSATION FOR THE REASONABLE VALUE OF THE SURFACE AREA UTILIZED IN THE EXERCISE OF SUCH RIGHTS

AND FOR THE REASONABLE VALUE OF ANY CROPS, FACILITIES, STRUCTURES OR OTHER SURFACE IMPROVEMENTS DAMAGED THEREBY. ANY DISPUTE REGARDING THE AMOUNT OF COMPENSATION WILL BE RESOLVED BY ARBITRATION PURSUANT TO THE RULES OF THE AMERICAN ARBITRATION ASSOCIATION. EACH PARTY SHALL BEAR AN EQUAL-PORTION OF THE COSTS OF ANY ARBITRATION, AS RESERVED BY GETTY OIL COMPANY IN DEED RECORDED JULY 11, 1986, IN BOOK 5892, PAGE 2103, OF OFFICIAL RECORDS.

APN: 074-050-011

PARCEL 14:

THE EAST HALF OF THE SOUTH HALF OF THE SOUTH HALF OF SECTION 28, TOWNSHIP 27 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THEREFROM ALL THE OIL AND GAS IN SAID LAND TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE, AND REMOVE SUCH DEPOSITS FROM SAME UPON COMPLIANCE WITH THE CONDITIONS AND SUBJECT TO THE PROVISIONS AND LIMITATIONS OF THE ACT OF JULY 17, 1914 (38 STAT. 509) AS EXCEPTED AND RESERVED IN THE PATENT FROM THE UNITED STATES OF AMERICA TO FAUSING MIER NORIEGA, RECORDED OCTOBER 20, 1917 IN BOOK 19 PAGE 281, OF PATENTS, KERN COUNTY RECORDS.

APN: 074-061-35

PARCEL 15:

THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THE WEST HALF OF LOT 1 OF THE NORTHEAST QUARTER; THE EAST HALF OF LOT 1 OF THE NORTHWEST QUARTER; LOT 1 OF THE SOUTHWEST QUARTER; AND THE SOUTH HALF OF LOT 2 OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 27 SOUTH, RANGE 28 EAST, M.D.B.M., IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE OF CALIFORNIA, AS PER THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE SURVEYOR GENERAL.

EXCEPTING THEREFROM ALL COAL AND OTHER MINERALS, AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

APN: 074-090-02

PARCEL 16:

THE SOUTH HALF OF THE NORTHWEST QUARTER AND THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 27 SOUTH, RANGE 27 EAST, M.D.B.M., IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE OF CALIFORNIA, AS PER THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE SURVEYOR GENERAL.

APN: 074-010-08 AND 074-010-09

PARCEL 17:

THE NORTH HALF OF THE SOUTHEAST QUARTER, THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, AND THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 27 SOUTH, RANGE 27 EAST, M.D.B.M., IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE OF CALIFORNIA, AS PER THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE SURVEYOR GENERAL.

APN: 074-010-011

(End of Legal Description)